

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

| | | |
|----------------------------------|---|-----------------------|
| UNITED STATES OF AMERICA and |) | |
| |) | |
| STATE OF WISCONSIN, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | No. 1:10-cv-00910-WCG |
| v. |) | |
| |) | |
| NCR Corporation, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

**DECLARATION OF ADAM B. SILVERMAN IN SUPPORT OF CERTAIN
DEFENDANTS¹ OBJECTIONS TO THE ADMISSION OF CERTAIN EXHIBITS CITED
IN PLAINTIFFS AND NCR CORPORATION’S RESPONSIVE POST-TRIAL BRIEFS**

¹ Certain Defendants are P.H. Glatfelter Co. (“Glatfelter”), CBC Coating Inc. (“CBC”), Menasha Corporation (“Menasha”), U.S. Paper Mills (“USPM”) and WTM I Company (“WTM”).

I, Adam B. Silverman, of sound mind and full age, hereby state as follows:

1. I am an attorney duly licensed to practice law in the Commonwealth of Pennsylvania and admitted to practice before this Court. I am an associate with the law firm of Greenberg Traurig LLP, attorneys for Glatfelter. I have personal and first-hand knowledge of each of the matters set forth herein, and, if called and sworn as a witness, I can and will testify competently thereto. I submit this declaration in support of Certain Defendants' Objections To The Admission Of Certain Exhibits Cited In Plaintiffs And NCR Corporation's Responsive Post-Trial Briefs.

2. Attached hereto as Exhibit 1 is a true and correct copy of an email, dated November 28, 2012, from Kristin Furrie, counsel for the United States, to counsel for NCR Corporation ("NCR"), Glatfelter, and the United States regarding an upcoming "meet-and-confer."

3. Attached hereto as Exhibit 2 is a true and correct copy of an email, dated November 29, 2012, from Brittany Sukiennik, counsel for NCR, to counsel for United States, NCR, and Glatfelter regarding the same upcoming "meet-and-confer" as discussed in Exhibit 1, and enclosing a spreadsheet of proposed trial exhibits arranged by category.

4. Attached hereto as Exhibit 3 is a true and correct copy of the spreadsheet created by counsel for NCR, which was enclosed with the Exhibit 2. Exhibit 3 does not contain any Administrative Record Exhibits.

5. On the afternoon of December 1, 2012, counsel representing the United States, NCR, Glatfelter, Menasha, USPM, WTM, CBC, and Georgia Pacific Consumer Products LP attended in person or by phone a "meet-and-confer" to categorize and reduce the large number of objections to proposed trial exhibits, none of which involved the Administrative Record. The

attending parties agreed that, given the trial schedule, they could not significantly reduce the number of objections prior to trial. Therefore, the attending parties agreed to address the objections in post-trial briefing. The attending parties never discussed the Administrative Record Exhibits. The meeting resulted in the agreement I proposed by email on December 1, Dkt. 757-2. That agreement did not include, or involve in any way, the Administrative Record Exhibits.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 6, 2013

s/ Adam B. Silverman
Adam B. Silverman